

IN THE SUPREME COURT OF THE STATE OF DELAWARE

JACOB CAPOZIO,	§
	§ No. 157, 2023
Defendant Below,	§
Appellant,	§ Court Below–Superior Court
	§ of the State of Delaware
v.	§
	§ Cr. ID Nos. 2109007136 (S)
STATE OF DELAWARE,	§ 2108014142 (S)
	§
Appellee.	§

Submitted: August 8, 2023
Decided: August 16, 2023

ORDER

It appears to the Court that, on July 7, 2023, the Chief Deputy Clerk sent a notice of brief delinquency to the appellant because he had not filed an opening brief by the June 23, 2023 deadline set by the Court. On July 19, 2023, the Chief Deputy Clerk issued a notice, sent by certified mail, directing the appellant to show cause why this appeal should not be dismissed for his failure to file an opening brief. The appellant received the notice, as evidenced by the return receipt filed with the Court on July 26, 2023. A timely response to the notice to show cause was due on or before August 7, 2023. To date, the appellant has not filed an opening brief or responded to the notice to show cause. Dismissal of this action is therefore deemed to be unopposed.

NOW, THEREFORE, IT IS ORDERED, under Supreme Court Rules 3(b)(2) and 29(b), that this appeal is DISMISSED.

BY THE COURT:

/s/ N. Christopher Griffiths
Justice